United Nations A/AC.109/PV.1439

General Assembly

Official Records

Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

1439th Meeting

Friday, 15 July 1994, 10.30 a.m.

New York

Acting Chairman: Mr. Remirez de Estenoz Barciela . . . . . (Cuba)

The meeting was called to order at 11 a.m.

Question of New Caledonia (A/AC.109/1197 and A/AC.109/L.1820)

The Chairman *(interpretation from Spanish)*: In connection with the agenda item on the question of New Caledonia, members have before them a draft resolution sponsored by the delegations of Fiji and Papua New Guinea, contained in document A/AC.109/L.1820, which was circulated on 13 July last. I now call on the Permanent Representative of Papua New Guinea to introduce the draft resolution.

Mr. Samana (Papua New Guinea): Before introducing the draft resolution, I wish to submit the following three amendments.

Operative paragraph 3 of the draft resolution begins with the words,

> "Welcomes measures which have been taken to strengthen and diversify the New Caledonian economy in all fields".

After the word "fields" I would add

> ", including the commissioning of the new Société métallurgique le Nickel mine at Kopeto and the establishment of new aquaculture projects,".

The current wording of paragraph 5 should be replaced with the following wording:

> "Acknowledges the contribution of the Melanesian Cultural Centre to the protection of the indigenous culture of New Caledonia;".

In paragraph 7, the words "the French authorities" should be replaced by the words "the French and provincial authorities".

It is my pleasure now to introduce, on behalf of the sponsors - Fiji and my own country, Papua New Guinea - the draft resolution (A/AC.109/L.1820), as orally revised.

We would like to take this opportunity to thank all members of the Committee for their continued support and for their interest in ensuring that a complete and genuine decolonization process is effectively achieved in New Caledonia. We are also pleased to inform the Committee of the support and cooperation of the administering Power in achieving the final outcome, which we believe is a balanced text that takes into account the interests of all parties concerned in the process leading to self-determination in New Caledonia.

This draft resolution is much the same as previous ones, with a few minor revisions that in no way change or alter either its meaning or its purpose. My delegation is firmly of the view that appropriate action should be taken by all concerned parties to ensure that the important elements reflected in this draft resolution, as well as all other efforts, are effectively implemented to lend meaning to the decolonization process in New Caledonia.

As members are no doubt aware, my country is totally committed to ensuring the full implementation of this draft

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resolution, and to ensuring that complete self-determination is effectively achieved not only in New Caledonia but in all remaining Non-Self-Governing Territories around the world. This also conforms with the United Nations mandate to achieve the total eradication of colonialism by the year 2000.

It is also my honour to inform the Committee that last Tuesday, leaders attending the eighth Melanesian Spearhead Group summit in Honiara reaffirmed their unwavering support for and commitment to the decolonization process in New Caledonia and, further, called on the signatories of the Matignon Agreements to honour their respective commitments and pursue political dialogue leading to a referendum.

The Melanesian leaders urged all indigenous political parties in New Caledonia to be more serious about adopting a common, collective approach towards political, economic and other developments as they move towards a referendum on self-determination.

Papua New Guinea wishes to welcome and to express its support for efforts already made by the French Government and other parties involved in the decolonization process in New Caledonia. We believe that the provisions of the Matignon Agreements should provide an opportunity for all parties further to enhance efforts to ensure that self-determination is effectively realized.

Yet we are of the view that self-determination in that Territory can be drastically affected if the interests of all parties, particular those of the indigenous Kanak population, are not adequately reflected and addressed. For instance, Papua New Guinea has come to believe that until a genuine act of self-determination has been held in New Caledonia, France's immigration policy could exacerbate the position in which the Kanaks find themselves, that of a minority in their own ancestral home.

In that regard, and in connection with the electoral body agreed upon for the 1998 referendum, the Special Committee should urge the Administering Authority to give special attention to compiling the lists of voters. This is a very delicate issue, which my delegation believes should be addressed adequately, particularly if the interests of the indigenous Kanak population are to be taken seriously and not marginalized.

We also urge the Committee to recommend that the General Assembly call upon France to adhere to United Nations principles in organizing the referendum, and to take the steps necessary to ensure that the various options to be placed on the ballot, including the option of independence, be clearly defined so as to provide the populations concerned with the information they need.

Papua New Guinea is of the firm view that there has been slow progress in a number of other crucial areas, including the training of Kanaks in all relevant fields. My delegation is also of the firm view that the indigenous Kanak population should be enabled to know their rights as recognized both by their traditional values and practices and by international law, including their right to own and exploit their natural resources in order to provide opportunities for their people to participate in the development of their country.

My delegation therefore wishes to call on the international community, and on the Special Committee in particular, to ensure that the Kanaks are in a position freely to exercise their right to self-determination, including their inherent fundamental right to be protected under whatever form of government they may choose when the referendum comes about.

History has taught us that France is a country that pioneered freedom, liberty and respect for humanity. It is in that spirit that we are very optimistic about the administering Power's desire to see a positive outcome in New Caledonia.

Papua New Guinea is fully committed to the United Nations decolonization process; it is line with that commitment that we continue to assist colonized countries and peoples in advancing towards the exercise of their inalienable rights of self-determination and independence.

The sponsors hereby submit the draft resolution, as orally revised, and commend it to the Committee for adoption.

Mr. Seniloli (Fiji): I wish to support the statement the representative of Papua New Guinea has just made concerning the draft resolution on the question of New Caledonia. I wish also to add that the South Pacific countries represented in the United Nations endorse the draft resolution. I therefore urge the members of the Committee to adopt it by consensus.

The Chairman *(interpretation from Spanish)*: May I take it that the Committee wishes to adopt the draft resolution contained in document A/AC.109/L.1820, as

orally revised by the Permanent Representative of Papua New Guinea, without a vote?

Draft resolution A/AC.109/L.1820, as orally revised, was adopted.

The Chairman (*interpretation from Spanish*): The Committee has thus concluded its consideration of the item entitled "Question of New Caledonia".

Report of the Subcommittee on Small Territories, Petitions, Information and Assistance (*continued*)

Questions of American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Guam, Montserrat, Tokelau, Turks and Caicos Islands and United States Virgin Islands (A/AC.109/L.1815)

Mrs. Khan-Cummings (Trinidad and Tobago): Since our last discussion on the amendment to the ninth preambular paragraph of the general section of draft consolidated resolution A/AC.109/L.1815 I have had consultations, and in order to accommodate the legitimate questions posed by my colleagues on the technical matter of reference to the Programme of Action of two recently concluded global Conferences, held in Yokohama, Japan and Bridgetown, Barbados, for which reports have not yet been submitted to the General Assembly, as well as the concern over other related conferences which may have some bearing on this preambular paragraph, I submit a revised amendment, which has been circulated to members of the Committee, it is to be inserted after "degradation",

> "and in this connection bearing in mind deliberations in all related international conferences, including Agenda 21, the World Conference on Natural Disaster Reduction and the Global Conference on the Sustainable Development of Small Island Developing States".

My delegation is of the view that since most of the Non-Self-Governing Territories considered in the draft consolidated resolution are small island Territories, this amendment could only improve this section of the draft resolution.

The Chairman (*interpretation from Spanish*): I thank the representative of Trinidad and Tobago for her efforts, using as a basis the original proposal, and for all the consultations which have led to this result.

May I take it that the Committee adopts the report and the consolidated draft resolution, as orally amended, as a whole, without a vote?

The report of the Subcommittee and the consolidated draft resolution, (Parts A and B (draft resolutions on nine Territories)), as orally amended, were adopted.

Activities of foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination (A/AC.109/1191 and A/AC.109/L.1822) (*continued*)

The Chairman (*interpretation from Spanish*): I wish to draw attention to draft resolution A/AC.109/L.1822, submitted by the Chairman, which was circulated yesterday morning. Does any member wish to speak on the draft resolution?

Mr. Sergeev (Russian Federation) (*interpretation from Russian*): We welcome the fact that what was previously unacceptable concerning the apartheid regime has been removed from the draft resolution. However, we are concerned about the unbalanced nature of the draft, which has only a negative perception of the activities of foreign economic and other interests. In our opinion, such activities can also have an important consequence for the social and economic development of Non-Self-Governing Territories, if they are not contrary to the interests of the people of the Territories. We believe that it would be good for the functioning of the Special Committee not to adopt this traditional draft. Many positive aspects of the activities of foreign economic and other interests have been included in General Assembly resolutions; one need only consult the omnibus resolution on this subject. Accordingly, we request that the draft resolution be put to a vote and that it not be adopted.

The Chairman (*interpretation from Spanish*): The Committee will now take action on draft resolution A/AC.109/L.1822.

Draft resolution A/AC.109/L.1822 was adopted by 17 votes to 0, with 1 abstention.

Military activities and arrangements by colonial Powers in Territories under their administration (A/AC.109/1191 and A/AC.109/L.1823) (*continued*)

The Chairman (*interpretation from Spanish*): I wish to draw attention to draft decision A/AC.109/L.1823,

submitted by the Chairman, which was circulated yesterday morning. Does any member wish to speak on the draft decision?

Mr. Sergeev (Russian Federation) (*interpretation from Russian*): Adopting this draft decision would be of questionable value. We think that repeating this kind of decision year after year does not reflect today's reality; it is not based on the real facts of today. It is confrontational, and we feel it is not necessary to adopt a separate decision, because some aspects of military activities are included every year in the omnibus resolution of the General Assembly. The Russian delegation therefore opposes adopting this draft decision.

The Chairman (*interpretation from Spanish*): The Committee will now take action on draft decision A/AC.109/L.1823.

Draft decision A/AC.109/L.1823 was adopted by 17 votes to 1.

One hundred and first report of the Working Group (A/AC.109/L.1821)

The Chairman *(interpretation from Spanish):* The one hundred and first report of the Working Group is contained in document A/AC.109/L.1821. Does any member wish to comment on the report?

Mr. Goel (India): At a meeting of the Working Group, my delegation raised what was essentially a procedural point, basically with a view to facilitating the work of the Committee in a transparent manner and in accordance with the mandate given to the Committee. Similarly, the following proposal is entirely procedural.

With regard to paragraph 4 of the report, I invite the attention of the members of the Committee to the penultimate sentence which addresses the way in which the invitations to the various seminars would be accepted. It reads:

> "In accordance with established practice, the Chairman would hold consultations with the Bureau members who, in turn, would consult with the members of the Committee from their respective regional groups."

It is obvious that invitations may often be extended to the Committee at very short notice, perhaps as short as a week's notice. At that stage, it may not only prove to be tedious but may at times even create difficulties for the Bureau members to go around consulting the various members of the regional groups.

To facilitate that process of consultation, I propose the insertion of the following sentence immediately following the one I have just read out:

> "Information on such invitations should be conveyed to members of the Committee so that they are able to offer their views on the matter before a specified deadline."

This addition takes into account the urgency of the matter. It would relieve the Chairman and the other officers of the burden of soliciting members' views on such invitations. It would then be up to each member to convey whatever views he may have on the subject to the Committee Chairman, through the Secretariat.

That, in my view, would facilitate and expedite the process of such communication. It is the only purpose of this amendment.

Mr. Bangali (Sierra Leone): The proposal has some merit; my only concern is that, should any member of the Committee express a dissenting view on any invitation that is extended to the Committee, it is liable to lend weight to the argument that Bureau members should engage in consultations with members of regional groups.

I am of two minds about this proposed amendment. Much of it appears to be relevant, but the nuances are not so clear to me. I have a feeling that we are not going to be getting 100 per cent agreement on some of the invitations that we will be receiving. Of course, every delegation has the right to express its views, but should there be a dissenting view, then of course the onus will again be on the Bureau members to enter into negotiations or consultations.

From that point of view, I do not think that this proposal adds much to what we already have.

Mr. Goel (India): I very much appreciate the views offered by the representative of Sierra Leone. I fully take his point that there will not be 100 per cent agreement on the invitations, but that is not the objective of this amendment.

As I said earlier, the idea is to facilitate the consultation process by relieving the Chairman and the

other officers of the Committee of the burden of initiating consultations with individual members of the Committee. Instead, members would be obliged to submit their views to the officers of the Committee without waiting to be approached. The consultation process itself would remain unaffected, as would the process of arriving at a decision to participate in a seminar, or anything else. In that way, all members of the Committee would have advance notice of any invitation and be in a position to submit their views to the Committee Chairman or the Secretariat in a timely fashion. By the same token, no delegation would be able, at a later stage, to claim that it was precluded from stating its views.

Mr. Bangali (Sierra Leone): If it is the wish of the Committee to adopt this proposal, I will go along with it. But my concern, again, is precisely what the representative of India has tried to explain: the time frame. Let us assume that we receive an invitation on Monday and that we need to reply by Friday. I, of course, have no objection to Committee members' being informed of the receipt of that invitation; but, should certain delegations not want that invitation to be accepted, we would presumably need to convene a meeting in order to discuss it. I am certain that, by the time Friday arrives, we will not have had time to take a decision.

As I said earlier, the proposal looked reasonable to me when I read it, but my concern is the time constraint. Any delegation can say, "I do not think we should go on this trip"; that is its right. We have to agree as a Committee to take a decision which affects the entire membership of the Committee - that is my concern. But if other members of the Committee find the proposal acceptable, then I will go along with it.

The Chairman *(interpretation from Spanish):* The Vice-Chairman's concern is quite valid: If the invitation comes on Monday and must be responded to by Friday, replies from the members of the Committee will need to arrive by Wednesday or Thursday, let us say. That is the only question at issue. We would simply be setting a deadline by which the members of the Committee should reply. Once that deadline has passed, then the consultation process is deemed to have been complete, and the consultations are over. Does the representative of India agree?

Mr. Goel (India): As I explained before, I fully appreciate the concern expressed by the representative of Sierra Leone. Taking the example he gave, let us suppose that the invitation arrives on Monday and must be answered by Friday. The process of consultation and decision-making does not stop when the member delegations have given their views.

How are decisions taken now? They are taken by the Bureau, by the Chairman, taking into account how they perceive the members of the Committee would react to such an invitation. But how do we ensure that all delegations have been consulted? If three Bureau members must consult every delegation, this can become a very tedious process. Instead, each delegation now becomes responsible for letting the Secretariat know what it thinks, if it does in fact have a view.

Suppose the invitation asking for a delegation's views arrives on Monday with a request that the Member State respond that Wednesday. After the response is known, and taking into account the general views that have filtered through to the Secretariat, the Chairman and the other members of the Bureau would again decide on that matter as they are doing now, taking these views into account. So that does not change. It only facilitates the consultation process. And if the invitation were to arrive on Monday and the decision must be taken by Friday, within two or three days it would become very difficult for the Bureau members to ensure that consultation with all members had taken place, and the process would become a lengthy and tedious one.

If there is concern as to the time frame, and if the representative of Sierra Leone has an alternative approach in mind, I am fully open to it. But it is not the kind of time frame that is graven in stone; it is just to facilitate the process of consultation.

Mr. Nkounkou (Congo) *(interpretation from French):* I understood the Vice-Chairman to say earlier that he would not object if the whole of the Committee agreed to the proposal, so I believe that we can adopt it straightaway.

The Chairman *(interpretation from Spanish):* I agree.

May I take it that the Committee adopts the report as orally revised?

The one hundred and first report of the Working Group (A/AC.109/L.1821), as orally revised, was adopted.

ORGANIZATION OF WORK

The Chairman *(interpretation from Spanish):* As members of the Committee are aware, there are still two items on the agenda, namely, the item relating to the specialized agencies and the report of the upcoming visiting mission to Tokelau.

In respect of the specialized agencies, the Economic and Social Council will be considering this item on 22 July 1994. It is customary for the Chairman to participate in the Council's consideration and to report back to the Committee. The Committee then formulates a resolution based on that of the Economic and Social Council.

The other matter pending before the Committee is the report of the Visiting Mission to Tokelau. As soon as that report has been issued, the Committee will hold one or two meetings at the end of August or the beginning of September, before the session of the General Assembly, to consider the report of the Mission as well as the item relating to the specialized agencies. The Committee will then conclude its session for the year.

In view of all the hearings granted during this session, the evolution of work in the Committee and in the United Nations in general and developments in the international situation, I believe that it would be well for members of the Committee and its organs - the Bureau and the Working Group - to carry out a study of the Committee's work, focusing on the various ideas put forward by the petitioners and on the agreements contained in the documents we have adopted. Given the importance of such an analysis to the Committee's future work, our modus operandi would be determined collectively.

For all these reasons we feel that now, more than ever, our Committee's work is becoming more and more important; as a number of speakers have stated this week, we have a commitment and a responsibility to both the General Assembly and the international community in the struggle for decolonization. The principles of the Committee are still totally valid, as are the reasons behind its establishment, and I feel that we should, within guidelines to be agreed upon in the Committee, carry out such a study in order to discharge that responsibility.

As no other member of the Committee wishes to speak, we shall conclude today's meeting. I thank all members of the Committee for their valuable help in achieving the decisions we have reached. I should also like to thank the Secretariat staff for its support this week and the interpretation team for its valuable work and its patience with all of us.

The next meeting of the Committee will be announced in the Journal. I wish you all a pleasant summer.

The meeting rose at 11.45 a.m.